IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

THURSDAY, THE 16TH NOVEMBER 2006 / 25TH KARTHIKA 1928

Crl.Rev.Pet.No. 3984 of 2006()

CRA.6/2005 of I ADDL. SESSIONS COURT, KOLLAM
CC.913/2003 of JUDL.MAGISTRATE OF FIRST CLASS-II(FOREST OFFENCES),PUNALUR

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REVN. PETITIONER/APPELLANT/ACCUSED:

RAJALINGAM,
REG. NO.1629, QUARTERS NO.TI, REHABILIATION
PLANTATION LTD., BLOCK NO.3, MANIYAR P.O.,PUNALUR.

BY ADV. SRI.REJI MATHEW KAVALAYIL

RESPONDENTS/RESPONDENT/COMPLAINANT:

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1. R. SAJEEV,
   SASI NIVAS, AYIRANALLOOR, VILAKKUPARA P.O.

2. STATE OF KERALA,
   REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM.

BY ADV. SRI.SUNNY XAVIER
BY PUBLIC PROSECUTOR SRI. C.K.SURESH

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 16/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.T.SANKARAN, J

Crl. R.P. No. 3984 OF 2006

Dated this the 16th day of November, 2006

ORDER

The accused in C.C. No. 913/2003 on the file of the court of Judicial Magistrate of First Class-I, Punalur, the petitioner in this Crl. Revision Petition, was convicted for the offence under Section 138 of the Negotiable Instruments Act and he was sentenced to undergo simple imprisonment for a period of three months and was also directed to pay Rs. 45,000/- as compensation under Section 357(3) of the Code of Criminal Procedure. On appeal, the appellate court confirmed the conviction and sentence in Crl.A.No. 6 of 2005 of the First Additional Sessions Court, Kollam.

2. The complainant as well as the accused have signed and filed a petition under Section 147 of the Negotiable Instruments Act seeking permission to compound the offence. Permission is granted. It is stated in the application that disputes between the parties have been settled and that the

complainant has received the full amount due to him. Accordingly, the Crl. R.P. is allowed. The conviction and sentence are set aside and the revision petitioner/accused is acquitted under Section 320(8) of the Code of Criminal Procedure.

K.T. SANKARAN,
JUDGE

csl